

UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF WISCONSIN

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IN RE  
Marica S. Tipton aka Marica S. Willson  
  
Debtor.

Chapter: 13  
  
Case No. 16-32374-beh

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**ORDER DENYING WELLS FARGO BANK, N.A. RENEWED MOTION FOR RELIEF FROM  
THE AUTOMATIC STAY AND ABANDONMENT**

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Pursuant to the renewed motion of Wells Fargo Bank, N.A., its successors and/or assignees (hereinafter “the movant”) with respect to the property located at 2125 Derrin Ln, Brookfield, WI 53045-2151, this matter was heard on September 25, 2018, the movant appearing through its counsel, Gray & Associates, L.L.P., by Brian D. Perhach, and the debtor(s) appearing through Todd C. Esser & Associates, by Kirk M. Fedewa, and Sandra Baner appearing on behalf of the Chapter 13 trustee and upon the arguments and statements of counsel and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the motion is denied subject to the following terms and provisions of this order:

Drafted by:

Brian D. Perhach  
Gray & Associates, L.L.P.  
16345 West Glendale Drive  
New Berlin, WI 53151-2841  
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Gray & Associates, L.L.P. is attempting to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge in a chapter 7 bankruptcy case, this communication should not be construed as an attempt to hold you personally liable for the debt.

1. That the debtor shall pay the sum of \$8,657.07 to the movant in sufficient time to be received on or before October 31, 2018. In the event any such payment is not received in a timely manner, the movant, its servicing agent or its counsel may submit an affidavit of default and proposed order for immediate relief from the automatic stay to the court for signature.

The arrearage is itemized as follows:

6/1/18 through 10/1/18	\$14,428.45
5 mortgage payments @ \$2,885.69	
Attorney Fees and Costs	0.00
Payment received 8/30/2018	2,885.69
Payment received 9/7/2018	2,885.69
Payment to be received by 10/31/2018	<u>8,657.07</u>
TOTAL ARREARAGE	<u>\$0.00</u>

2. That commencing in November 2018, and continuing through to the end of May 2019, the debtor shall make all monthly mortgage payments to the movant in sufficient time to be received on or before the 16th day of each month in which each such payment is due. In the event any such payment is not received in a timely manner, the movant, its servicing agent or its counsel may submit an affidavit of default and proposed order for immediate relief from the automatic stay to the court for signature.

3. That commencing in June 2019, the debtor shall make all monthly mortgage payments to the movant in sufficient time to be received on or before the 16th day of each month in which each such payment is due. In the event any such payment is not received in a timely manner, counsel for the movant may request by letter another hearing upon the motion for relief from the automatic stay.

4. That pending further notice, the amount of the monthly mortgage payment is \$2,885.69 and payments shall be made to the movant at Wells Fargo Bank, N.A., 1 Home Campus, Attention: Payment Processing, MAC# x2302-04c Des Moines, IA 50328.

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